

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

DEANTE GHOLSTON,

Plaintiff,

v.

WILLIAM POWELL, *et al.*,

Defendants.

---

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

Case No. 5:17-cv-00479-MTT-CHW

Proceedings Under 42 U.S.C. § 1983  
Before the U.S. Magistrate Judge

**ORDER**

Plaintiff Deante Gholston has filed a motion to dismiss the above-styled case (Doc. 63), in which he states, “I am dropping this case, if the defendants do not seek any [costs] in this case, please.” (*Id.*) Defendants have not filed a response. The case cannot be voluntarily dismissed without a court order because Defendants have answered and filed motions for summary judgment and because the parties have not filed a stipulation of dismissal. Fed. R. Civ. P. 41(a)(1). Therefore, the Court may dismiss this action “only by court order, on terms that the Court considers proper.” Fed. R. Civ. P. 41(a)(2).

Defendants are hereby **DIRECTED** to file a response to Plaintiff’s motion (Doc. 63) by April 15, 2022, addressing whether they object to the dismissal or are seeking any costs as contemplated by Plaintiff’s motion.

**SO ORDERED**, this 25th day of March, 2022.

s/ Charles H. Weigle  
Charles H. Weigle  
United States Magistrate Judge